

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,	§	
	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 3:17-cv-02569-L
v.	§	
	§	
TIM SHEPHERD M.D., PA d/b/a SHEPHERD HEALTHCARE	§	
	§	
	§	
Defendant.	§	

**UNOPPOSED MOTION FOR EXPEDITED RULING ON
EEOC MOTION FOR LEAVE TO FILE A SECOND AMENDED COMPLAINT
AND BRIEF IN SUPPORT THEREOF**

Plaintiff, Equal Employment Opportunity Commission (“EEOC”) respectfully moves this Court for an expedited ruling on EEOC’s pending Motion for Leave to File a Second Amended Complaint (Dkt. 34). This motion for expedited ruling is unopposed. Background and basis for this motion and brief in support thereof are set forth here below.

1. On Sept. 20, 2017, EEOC filed its Original Complaint in this action pursuant to Title VII of the Civil Rights Act of 1964.
2. A First Amended Complaint to name the six additional individuals was filed by the EEOC on July 2, 2018.
3. Defendant, Tim Shepherd M.D., P.A. d/b/a Shepherd Health Care, filed for Chapter 7 bankruptcy protection on August 27, 2018.
4. On February 8, 2019, EEOC filed its Motion for Leave to File a Second Amended Complaint to add Bridges Healthcare, P.A. as a necessary party pursuant to Fed.R.Civ.P. 15(a)(2). (Dkt. 34) Objections and a Reply followed. (Dkt. 35-37).

5. On April 1, 2019, the EEOC filed an Unopposed Motion to Continue and Reschedule Trial Date (Dkt. No. 39)
6. On April 2, 2019, the Court issued an Amended Scheduling Order, setting the trial for Dec. 2, 2019 and resetting the corresponding pretrial dates. In this Order, the Court also reset the discovery deadline for July 1, 2019. (Dkt. 41)
7. On April 2, 2019, the Court also issued an Amended Mediation Order, requiring that the parties participate in mediation on or before July 1, 2019. (Dkt. 40)

As instructed by the Court's Amended Mediation Order of April 2, 2019, (Dkt. 40), the parties are to participate in mediation on or before July 1, 2019. The parties have, in fact, begun discussions to schedule the mediation as soon as feasible; however, an expedited ruling on EEOC's Motion for Leave to File a Second Amended Complaint is integral to the settlement process to ensure that mediation negotiations include all proper or necessary parties for disposition. Further, per the Court's Amended Scheduling Order (Dkt. 41), the parties are required to complete discovery on or before July 1, 2019. An expedited ruling on the Motion for Leave to File a Second Amended Complaint will also serve to allow the parties to determine the extent to which any additional discovery would need to be completed before the newly set deadline.

This Unopposed Motion to expedite a ruling on the Motion for Leave to File a Second Amended Complaint and Brief in Support thereof is for good cause, and not to harass, cause unnecessary delay or needlessly increase the cost of litigation.

WHEREFORE, Plaintiff EEOC respectfully requests that this unopposed motion be granted.

Respectfully submitted,

ROBERT A. CANINO
Oklahoma State Bar No. 011782

SUZANNE M. ANDERSON
Texas Bar No. 14009470

/s/Meaghan L. Kuelbs
MEAGHAN L. KUELBS
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CERTIFICATE OF CONFERENCE

I certify that on April 2 and 3, 2019, I contacted Defendant's counsel of record regarding Plaintiff's Motion and provided a draft of this motion. Defendant's counsel has confirmed that the Defendant is not opposed.

/s/ Robert A. Canino
ROBERT A. CANINO

CERTIFICATE OF SERVICE

This is to certify that on April 3, 2019, I electronically transmitted the attached document to the Clerk of the Court using the ECF system of filing, which will transmit a Notice of the Electronic Filing to Defendant's counsel, an ECF registrant.

/s/ Meaghan L. Kuelbs
MEAGHAN L. KUELBS